THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 16664 of 2005

Between:

Voleti Potha Raju, S/o.Sampathy,
R/o.Boddulurupadu, Kollur Mandal, Guntur district , Now Residing at Guntur Town.

..... PETITIONER

AND

1. The District Collector, Guntur, Guntur district and others.

ORDER:

This writ petition is filed aggrieved by the alleged action of the respondents in attempting to construct a community hall in the land of the petitioner admeasuring Ac. 0.02 ½ cents in S.No. 907 situated at Bodduluru village, Kolluru Mandal, Guntur District, without following due process of law.

The case of the petitioner is that he is the absolute owner of the land in question. While so, the respondent authorities have laid a foundation stone in the said land for construction of a community hall. Immediately, the petitioner made a representation dated 25.05.2005 to the first respondent requesting not to make any constructions in the said land and the first respondent in turn forwarded the same to the fourth respondent for necessary action and the same is pending with the fourth respondent. Meanwhile, the respondent authorities have removed four tamarind trees from the land in question and trying to make constructions therein without giving any notice or opportunity to the petitioner and without initiating any Land Acquisition proceedings. Hence this petition.

When the matter came up for admission on 29.07.2005, learned Government Pleader was directed to get instructions. Today, when the matter came up for consideration, learned Government Pleader submits that the respondent authorities are not constructing the community hall in Sy.No. 907 as alleged by the petitioner

and on the other hand, they are constructing a community hall in Sy.No. 50/3. Therefore, the petitioner's land is no way affected.

Accordingly, recording the submission of the learned Government Pleader, the writ petition is dismissed. No costs.

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05.08.2005

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